IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 14th day of March, 2005
Bail application No. 159 **of 2005**
Order on the Bail Application of accused

CRIMINAL SIDE

Dherendra Gunjiyal
S/o Desu Gunjiyal
R/o Village- Khotila
Police Station- Dharchula
District – Pithoragarh ……Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of case crime No. 315 of 2004
U/S 376 I.P.C.
Village- Khotila
Police Station – Dharchula
District – Pithoragarh

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no. 315 of 2004, U/S 376 I.P.C., Village- Khotila, Police Station – Dharchula, District – Pithoragarh.

Heard Sri G.B. Pande, learned counsel for the applicant, learned A.G.A. and perused the record.

The applicant is alleged to have committed rape of 3 years old girl Neha.

The F.I.R. was lodged on the same day and the Doctor has opined in the medical examination report of the victim Km. Neha that the possibility of rape cannot be excluded.

Under the aforesaid circumstances, the bail application is rejected.

However, learned counsel for the applicant has submitted that the chargesheet in this case submitted on 31.05.2004 but trial has yet not been concluded.

I direct that the trial court shall decide the trial within a period of three months.

(B.C. Kandpal, J.)

March 14, 2005
Shiv